

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

KIDANEMARIAM KASSA,	)	
	)	
Plaintiff,	)	
	)	CIVIL RIGHTS COMPLAINT
v.	)	42 U.S.C. §1983
	)	
	)	CIVIL ACTION NO.
	)	1:17-CV-02068-AT
FULTON COUNTY, GEORGIA,	)	
PAUL H. HOWARD, officially &	)	
Individually,	)	
ANTIONETTE STEPHENSON,	)	
individually, PIERRE EASLEY,	)	
individually, and JOHN DOE,	)	
officially & individually,	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS FULTON COUNTY, GEORGIA, DISTRICT ATTORNEY PAUL HOWARD, ASSISTANT DISTRICT ATTORNEY ANTOINETTE STEPHENSON, INVESTIGATOR PIERRE EASLEY AND JOHN DOE'S MOTION TO DISMISS PURSUANT TO FED.R.CIV.P. 12(b) (1) and 12(b) (6)**

COME NOW Defendants Fulton County, Georgia, District Attorney Paul Howard, Assistant District Attorney Antoinette Stephenson, Investigator Pierre Easley and John Doe<sup>1</sup> ("Defendants"), by and through undersigned counsel, and move this Honorable Court to dismiss the claims asserted against them in Plaintiff's Civil Rights Complaint due to the Court's lack of

<sup>1</sup> Defendant John Doe files this motion to dismiss by special appearance only, without waiving the defenses of insufficient process, insufficiency of service of process, personal jurisdiction, subject matter jurisdiction and venue or submitting him or herself to the jurisdiction of this Court.

subject matter jurisdiction, and Plaintiff's failure to state a claim upon which relief can be granted. Defendants move this Court to grant the instant motion to dismiss for the reasons more fully shown in the brief in support of Defendants' motion to dismiss. The legal authority supporting this motion is filed contemporaneously herewith.

Respectfully submitted, this 30<sup>th</sup> day of October, 2017.

**OFFICE OF THE COUNTY ATTORNEY**

Patrise Perkins-Hooker  
COUNTY ATTORNEY  
Georgia Bar No. 572358

Kaye W. Burwell  
Deputy County Attorney  
Georgia Bar No. 775060

*/s/ Ashley J. Palmer*

Ashley J. Palmer  
Senior Assistant County Attorney  
Georgia State Bar No. 603514

**OFFICE OF THE FULTON COUNTY ATTORNEY**

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individually, and JOHN DOE,	)	
officially & individually,	)	
	)	
Defendants.	)	
	)	

**CERTIFICATE OF SERVICE**

THIS CERTIFIES that on October 30, 2017, I presented this document in Courier New, 12 point type, and that I have electronically filed the foregoing **DEFENDANTS FULTON COUNTY, GEORGIA, DISTRICT ATTORNEY PAUL HOWARD, ASSISTANT DISTRICT ATTORNEY ANTOINETTE STEPHENSON, INVESTIGATOR PIERRE EASLEY AND JOHN DOE'S MOTION TO DISMISS PURSUANT TO FED.R.CIV.P. 12(b) (6)**

with the Clerk of Court using the CM/ECF system, and will provide mail notification to the following attorney of record:

Tiffany Williams Roberts  
Tiffany W. Roberts, Attorney at Law  
Suite 400  
235 Peachtree Street  
Atlanta, Georgia 30303

This 30<sup>th</sup> day of October, 2017.

*/s/ Ashley J. Palmer*

Ashley J. Palmer  
Senior Assistant County Attorney  
Georgia State Bar No.: 603514

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